

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TYCO HEALTHCARE GROUP LP

Plaintiff,

v.

Civil Action No. 1:04-cv-11524-DPW

MEDICAL PRODUCTS, INC.

Defendant.

**DEFENDANT'S MOTION TO TRANSFER THIS ACTION
TO THE NORTHERN DISTRICT OF MISSISSIPPI**

Defendant Medical Products, Inc ("MPI") hereby moves, pursuant to 28 U.S.C. §1404(a), to transfer this action to the U.S. District Court for the Northern District of Mississippi because it will be more convenient for the parties and witnesses and in the interests of justice to litigate this case in that district. The reasons why this motion should be allowed are further set forth in the accompanying Memorandum of Law and in the Affidavits of Eddie McCafferty and Michael B. Galvin, Esq., filed herewith.

For each of those reasons, Defendant MPI respectfully requests that this Court transfer this case to the U.S. District Court for the Northern District of Mississippi.

Respectfully submitted,

MEDICAL PRODUCTS, INC.

By its attorneys,

/s/ Michael B. Galvin

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Dated: September 1, 2004

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(D), undersigned counsel requests oral argument on this motion because it will assist the Court in resolving the issues raised by this motion. Counsel anticipates that oral argument would last 30 minutes or less.

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)

Pursuant to Local Rule 7.1(A)(2), prior to filing this motion, the undersigned called counsel for the Plaintiff, who refused to assent to the requested relief.

/s/ Michael B. Galvin

Michael B. Galvin